

Application Serial No. 10/520,321  
Reply to Office Action of January 15, 2010

PATENT  
Docket: CU-6585

### REMARKS

In the Office Action, dated January 15, 2010, the Examiner states that Claims 29, 30 and 33-74 are pending, Claims 37-42, 44, 46, 48, 50, 53, 56, 59-62, 65, 66, 69, 70, 73 and 74 are allowed, and Claims 29, 30, 33-36, 43, 45, 47, 49, 51, 52, 54, 55, 57, 58, 63, 64, 67, 68, 71 and 72 are rejected. By the present Amendment, Applicant cancels Claims 29, 30, 33-36, 43, 45, 47, 49, 51, 52, 54, 55, 57, 58, 63, 64, 67, 68, 71 and 72.

#### Double Patenting

Claims 29, 30, 33, 51, 54 and 71 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 2, 4 and 5 of US Patent No. 6,826,001. Solely in the interest of advancing prosecution and without prejudice or disclaimer of the subject matter thereof, Applicant indicates that the rejected claims have been cancelled rendering the present rejection moot. Withdrawal of the present double patenting rejection is therefore respectfully requested.

#### Rejections under 35 U.S.C. §102(a)

Claims 29, 30, 33-36, 43, 45, 47, 49, 51, 52, 54, 55, 57, 58, 63, 64, 67, 68, 71 and 72 are rejected under 35 U.S.C. §102(a) as being anticipated by WO 02/067022. Claims 29, 30, 33-36, 43, 45, 47, 49, 51, 52, 54, 55, 57, 58, 63, 64, 67, 68, 71 and 72 are rejected under 35 U.S.C. §102(a) as being anticipated by JP 2003-161828. Solely in the interest of advancing prosecution and without prejudice or disclaimer of the subject matter thereof, Applicant indicates that the rejected claims have been cancelled rendering the present rejections moot. Withdrawal of the present anticipation rejections is therefore respectfully requested.

#### Allowable Subject Matter

In the present Office Action, Claims 37-42, 44, 46, 48, 50, 53, 56, 59-62, 65, 66, 69, 70, 73 and 74 are indicated as allowed. Since all other claims have been cancelled by the present amendment, Applicant respectfully asserts that the application is in order for allowance.

APR 07 2010

Application Serial No. 10/520,321  
Reply to Office Action of January 15, 2010

PATENT  
Docket: CU-6585

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

April 7, 2010

Date

Respectfully submitted,



Attorney for Applicant  
Eric D. Babych  
c/o Ladas & Parry LLP  
224 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 427-1300  
Reg. No. 57,542